

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DOMINION DEVELOPMENT GROUP, LLC,	:	
	:	NO. 3:15-CV-00961-MEM
Plaintiff,	:	
v.	:	(The Honorable Malachy E. Mannion)
	:	
CINDY BEYERLEIN and BOENNING & SCATTERGOOD,	:	CIVIL ACTION
	:	
	:	
Defendants	:	

BRIEF IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL FOR PLAINTIFF

1. Background.

Larry Masi, of Dominion Development Group, advised both Angelo M. Perrucci, Jr., Esquire and Jeffrey S. Katz, Esquire two weeks ago that he had retained new counsel. Mr. Masi further advised us that upon the Court relieving us as counsel, that his new attorney would enter his appearance.

2. Argument.

On or about September 22, 2016, Larry Masi, of Dominion Development Group, LLC directed Attorney Perrucci to file a motion to withdraw as counsel on behalf of he and Mr. Katz. There has been a total irreconcilable conflict and breakdown of the attorney-client relationship, to the point where Mr. Masi is now contacting the Court directly.

According to 26 U.S.C. app, Rule 24(c):

Counsel of record desiring to withdraw such counsel's appearance, or any party desiring to withdraw the appearance of counsel of record for such party, must file a motion with the Court requesting leave therefore, showing that prior notice of the motion has been given by such counsel to such counsel's client, or such party's counsel, as the case may be, and to each of the other parties to the case or their

counsel, and stating whether there is any objection to the motion. A motion to withdraw as counsel shall each also state the then-current mailing address and telephone number of the party in respect of whom or by whom the motion is filed.

Counsel for Plaintiff has attempted to abide by this rule and all local rules by filing an executed Substitution of Attorney with this Motion. We were advised by Plaintiff and by his purported new counsel that he would sign the Substitution of Attorney. Since that time, we have been advised that he is unable to do so as a result of his current trial attachment. We have been assured that he will be entering his appearance upon our withdrawal of appearance.

WHEREFORE, attorneys for Dominion Development Group, LLC, Angelo M. Perrucci, Jr., Esquire and Jeffrey S. Katz, Esquire, respectfully request the Court to allow the entry of a Withdrawal of Appearance as counsel of record.

RESPECTFULLY SUBMITTED,

ATTORNEYS FOR PLAINTIFF

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CERTIFICATION OF SERVICE

We certify that we caused a true and correct copy of the foregoing *Brief in Support of Motion to Withdraw as Plaintiff's Counsel* to be served via the Court's ECF system and e-mail upon:

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Plaintiff

September 27, 2016

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/s/ Jeffrey S. Katz, Esquire